

**Notice of Allowability**

Application No.

10/629,718

Examiner

Aaron W. Carter

Applicant(s)

WATANABE ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/28/06.
2. ☒ The allowed claim(s) is/are 1,3,6-8,10,13 and 14.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
- ☐ Examiner's Amendment/Comment
- ☒ Examiner's Statement of Reasons for Allowance
- ☐ Other \_\_\_\_\_

JINGSE WU  
PRIMARY EXAMINER

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on February 28, 2006 has been entered. Claims 2, 4, 5, 9, 11, 12, 15 and 16 have been cancelled.

### ***Allowable Subject Matter***

2. Claims 1, 3, 6-8, 10, 13 and 14 are allowed.

The following is an examiner's statement of reasons for allowance:

3. As to claims 1 and 8, none of the prior art teach or fairly suggest the limitation of "when it is judged by said image condition judging function that said image belongs to the plurality of image conditions, said correction information creating function integrates the image correction information in the respective image conditions, corresponding to said probability, to create the image correction information", in combination with the other limitations of the claims. The prior art of Winkelman, already of record, discloses image processing including normalizing a feature quantity, extracting a mean and standard deviation of the normalized feature quantity, judging an

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image condition, creating image correction information and correcting the image, as discussed in the Final Rejection mailed out on October 31, 2005. However, Winkelman does not teach or fairly suggest the limitation as described above, found in claims 1 and 8.

4. As to claims 6 and 13, none of the prior art teach or fairly suggest the limitation of “wherein said statistics extracting function multiplies the means value and the standard deviation of the image feature quantity in each area obtained by dividing the image into a plurality of areas, by a weighting value corresponding to a difference between the maximum value and the minimum value of the image feature quantity in each area, and sets the sum of said multiplied values as the mean value and the standard deviation of the image feature quantity”, in combination with the other limitations of the claims. The prior art of Winkelman, already of record, discloses image processing including normalizing a feature quantity, extracting a mean and standard deviation of the normalized feature quantity, judging an image condition, creating image correction information and correcting the image, as discussed in the Final Rejection mailed out on October 31, 2005. However, Winkelman does not teach or fairly suggest the limitation as described above, found in claims 6 and 13.

5. As to claims 7 and 14, none of the prior art teach or fairly suggest the limitation of “a n input function inputting whether or not the corrected image is an intended image, an input result storing function storing a result input through said input function, and a probability display function displaying the probability that said corrected image is the intended image, based on the input result stored by said input result storing function”, in combination with the other

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limitations of the claims. The prior art of Winkelman, already of record, discloses image processing including normalizing a feature quantity, extracting a mean and standard deviation of the normalized feature quantity, judging an image condition, creating image correction information and correcting the image, as discussed in the Final Rejection mailed out on October 31, 2005. However, Winkelman does not teach or fairly suggest the limitation as described above, found in claims 7 and 14.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### *Conclusion*

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron W. Carter whose telephone number is (571) 272-7445. The examiner can normally be reached on 8am - 4:30 am (Mon. - Fri.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jingge Wu can be reached on (571) 272-7429. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

awc

AJC

JINGGE WU  
PRIMARY EXAMINER